

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, MARCH 30, 1992
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:00 p.m. Council Member McCarty recognized and welcomed Cub Scout Troop No. 985 from Tierrasanta. Mayor O'Connor adjourned the meeting at 7:15 p.m., to meet in Closed Session at 9:30 a.m. on Tuesday, March 31, 1992, in the 12th floor Conference Room to discuss pending and potential litigation matters.

ATTENDANCE DURING THE MEETING:

(M) Mayor O'Connor-present
(1) Council Member Wolfsheimer-present
(2) Council Member Roberts-present
(3) Council Member Hartley-present
(4) Council Member Stevens-present
(5) Council Member Behr-present
(6) Council Member Stallings-present
(7) Council Member McCarty-present
(8) Council Member Filner-present
Clerk-Fishkin (rb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Fishkin called the roll:

(M) Mayor O'Connor-present
(1) Council Member Wolfsheimer-present
(2) Council Member Roberts-not present
(3) Council Member Hartley-not present
(4) Council Member Stevens-present

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- (5) Council Member Behr-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Pastor Randy Ash, Calvary
Baptist Church in Linda Vista.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Stallings.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Don Stillwell regarding education.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A049-071.)

ITEM-PC-2: REFERRED TO CITY MANAGER

Comments by Ruby Watson regarding Worker's Compensation.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A072-103.)

ITEM-PC-3:

Comments by Art Salzberg regarding the Midway.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A104-142.)

ITEM-30: PRESENTATIONS MADE

In the matter of the presentation of awards for the
City Clerk's YouthVote '92 logo and writing contest:

5th Grade Writing Contest

1st place:	Katya Nena Salganick San Diego Hebrew Day School
2nd place:	Jen Lindahl Leif Ericson Elementary School
3rd place:	Starlene Pleasant Kennedy Elementary School

5th Grade Logo Contest

1st place:	Sara Broudy San Diego Hebrew Day School
2nd place:	James Adam Stoewer Mira Mesa Christian School
3rd place:	Marina Javor Hawthorne Elementary School

8th Grade Writing Contest

1st place:	Matt Ortiz Lewis Junior High School
2nd place:	Vlady DiNatale Holy Family School
3rd place:	Mien Dang Challenger Junior High School

8th Grade Logo Contest

1st place:	Erin Conlisk Standley Junior High School
2nd place:	Rusty Amos Lewis Junior High School
3rd place:	Morgan Hamm Pacific Beach Middle School

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FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A149-400.)

- * ITEM-50: (O-92-122) ADOPTED AS ORDINANCE O-17751 (New Series)

Amending Chapter IX, Article 5, of the San Diego Municipal Code by amending Section 95.0127, relating to Graffiti Abatement Procedure, by changing the notice to property owners to remove graffiti; and providing that parents are liable for property damage caused by their children.

(Introduced on 3/16/92. Council voted 5-0. Districts 1, 2, 3 and Mayor not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A582-586.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea (except that portion pertaining to parental liability).

- * ITEM-51: (O-92-110) ADOPTED AS ORDINANCE O-17752 (New Series)

Amending Chapter X, Article 3, Division 6, of the San Diego Municipal Code by amending Section 103.0602, relating to the Carmel Valley Planned District.

(District-1. Introduced on 3/17/92. Council voted 8-0. District 8 not present.)

FILE LOCATION: LAND-Carmel Valley Planned District

COUNCIL ACTION: (Tape location: A582-586.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

* ITEM-100: (R-92-977) ADOPTED AS RESOLUTION R-279617

Awarding a contract to Whited Cemetery Service for the purchase of burial enclosures, as may be required for a period of one year beginning April 1, 1992 through March 31, 1993, for an estimated cost of \$63,307.44, including tax and terms, with options to renew the contract for four additional one year periods, with no price escalation.
(BID-Q2990/92)

FILE LOCATION: CONT-PURCHASE-Whited Cemetery Service
CONT FY92-1

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-101: (R-92-1392) ADOPTED AS RESOLUTION R-279618

Awarding contracts to 1. Valley Industrial Specialties, Inc., 2. Westbourne Supply Co., and 3. Reliable Pipe & Supply for furnishing will call service for miscellaneous plumbing supplies, as may be required for a period of one year beginning March 1, 1992 through February 28, 1993, for a total estimated cost of \$75,000, including tax and terms as follows:
(BID-R2969/92.)

1. Valley Industrial Specialties, Inc., Prime Contractor for the following manufacturers: Sloan, American-Standard, Kohler, Elkay, Eljer, Moen, Delta, Haws, Oasis Water Coolers, Chicago Faucet, Pasco, Accorn, Bell & Gosset, Nibco, Powers, Bradley, Symons, Crane, Watts, Wilkings, Sexauer; Secondary Contractor for Zurn, Hammond, ABS Fittings, East Man, with the options to renew for four additional one year periods.
2. Westbourne Supply Co., Prime Contractor for the following manufacturers: Zurn, A.O. Smith, Ruud, Hammond, Clay Valve Co., Norris and East Man, and for galvanized pipe, ABS Fittings, black steel fittings, galvanized steel fittings, copper tubing, PVC Pipe; Secondary Contractor for Moen, Delta, Haws, Oasis Water Coolers, Chicago Faucet, Pasco, Accorn, Bell & Gosset,

Nibco, Powers, Bradley, Symons, Crane, Watts, Wilkins, Sexauer, with options to renew for four additional one year periods.

3. Reliable Pipe & Supply, Secondary Contractor for copper tubing, PVC Pipe, galvanized pipe, black steel fittings (Stockham) and galvanized steel fittings (Stockham), with options to renew for four additional one year periods.

FILE LOCATION: CONT-PURCHASE-Valley Industrial Specialties;
Westbourn Supply Co.; and Reliable Pipe &
Supply CONT FY92-3

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-102: (R-92-976) ADOPTED AS RESOLUTION R-279619

Awarding a contract to Hawthorne Machinery Co. for the lease of one or more heavy duty tractor bulldozers as may be required for a period of one year beginning approximately April 1, 1992 through March 31, 1993, for a total estimated cost of \$110,160, including tax and terms, and a trade-in of \$45,000 for a used City-owned D9L dozer, with options to renew the contract for four additional one year periods.
(BID-B2915/92.)

FILE LOCATION: CONT-PURCHASE-Hawthorne Machinery Co. CONT
FY92-1

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-103: (R-92-1391) ADOPTED AS RESOLUTION R-279620

Awarding a contract to Transportable Treatment Services, Inc. for rental of four two-meter trailer mounted filter belt presses, with a qualified field technician for Fiesta Island, as may be required for a period of eight months beginning approximately April 1, 1992 through November 30, 1992, for an estimated cost of \$443,070, including tax, freight and set up; authorizing the Purchasing Agent to invoke the provisions of the San Diego Municipal Code, Section 22.0504 to obtain materials and services without advertisement in the case of a bona fide emergency affecting public health and safety.
(BID-B3045/92)

FILE LOCATION: CONT-PURCHASE-Transportable Treatment
Services, Inc. CONT FY92-1

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-104: (R-92-1091) ADOPTED AS RESOLUTION R-279621

Inviting bids for the Installation of Traffic Signal Interconnect on University Avenue between 40th Street and Aragon Drive on Work Order No. 119455; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of \$412,900 from CIP-68-008.0, Annual Allocation - Traffic Signal Subsystems, Proposition "A", for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to retain excess budgeted funds, if any, in CIP-68-008.0.
(BID-K3032/92)
(Mid-City Community Area. Districts-3 and 7.)

CITY MANAGER SUPPORTING INFORMATION: The subject Capital Improvement Program Project coordinates the operation of traffic signals on University Avenue from 40th Street and Aragon Drive. Features include installation of approximately 11,000 lineal feet of interconnect conduit and cable; and the replacement of six obsolete traffic signal controllers. This project includes the

installation of emergency vehicle pre-emption equipment at 42nd Street and University Avenue and at College Avenue and University Avenue. This project will interconnect sixteen traffic signals.

Aud. Cert. 9200542.

FILE LOCATION: W.O. 119455 CONT - Lekos Electric Inc.
CONT FY92-1

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-105:

Two actions relative to Parcel Map W.O. No. 910183:
(Located northeasterly of 32nd Street and Nutmeg
Street. Greater North Park Community Area.
District-3.)

Subitem-A: (R-92-1427) ADOPTED AS RESOLUTION R-279622

Approving Parcel Map W.O. No. 910183.

Subitem-B: (R-92-1428) ADOPTED AS RESOLUTION R-279623

Certifying that the information contained in
Environmental Negative Declaration END-91-0316, in
connection with Parcel Map W.O. No. 910183 and a
portion of Nutmeg Street, has been completed in
compliance with the California Environmental Quality
Act of 1970, as amended, and State guidelines, and that
said report has been reviewed and considered by the
Council; declaring that the Council finds, based upon
the Initial Study and any comments received, that
there is no substantial evidence that the project will
have a significant effect on the environment.

FILE LOCATION: SUBD-Carmel Heights, Block 6, pors.

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-106:

Two actions relative to Carmel Mountain Ranch
Industrial Unit No. 2:
(Located southerly of Carmel Mountain Road and Camino
Del Norte. Carmel Mountain Ranch Community Area.
District-5.)

Subitem-A: (R-92-1349) ADOPTED AS RESOLUTION R-279624

Granting an extension of time to June 30, 1992, to
Carmel Mountain Ranch, subdivider, to complete the
improvements required in Carmel Mountain Ranch
Industrial Unit No. 2.

Subitem-B: (R-92-1350) ADOPTED AS RESOLUTION R-279625

Authorizing the City Manager to release a portion of
the surety issued by Insurance Company of the West in
the form of Performance Bond Nos. 13 38 05 and 13 38
06, so the same is reduced as follows:
1) For faithful performance, to the sum of \$1,243,975;
2) For the benefit of the contractor, subcontractor and
to persons renting equipment or furnishing labor or
materials, to the sum of \$621,987.50.

CITY MANAGER SUPPORTING INFORMATION: On July 14, 1986, the City
entered into an agreement with Carmel Mountain Ranch for the
construction of public improvements for Carmel Mountain Ranch
Industrial Unit No. 2. Performance Bond Nos. 13 38 05 and 13 38
06 issued by Insurance Company of the West both in the amount of
\$1,913,807, were provided by the subdivider. The agreement
expired July 14, 1998. The subdivider has requested a partial
release of surety and an extension of time to June 30, 1992 in
which to complete the required improvements. Ninety percent of
the work has been completed to the satisfaction of the City
Engineer, and the subdivider has requested a partial release of
surety. The job order account has sufficient funds to cover
anticipated future costs to the City. There are no mechanic's
liens filed against the surety and there has not been a previous
partial release. It is recommended that the time extension be
granted since the improvements to be delayed are not necessary to
serve adjacent developments or the general public. In accordance
with Council Policy 800-11 and 600-21, respectively, it is

recommended that the surety be reduced by an amount which is 75 percent of the value of the work completed. Therefore, 67.5 percent of the original surety will be released which will reduce the surety to \$1,243,975.

FILE LOCATION: SUBD-Carmel Mountain Ranch Industrial Unit
No. 2

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-107:

Two actions relative to Carmel Mountain Ranch Unit No.
2:
(Carmel Mountain Ranch Community Area. District-5.)

Subitem-A: (R-92-1351) ADOPTED AS RESOLUTION R-279626

Granting an extension of time to June 30, 1992 to
Carmel Mountain Ranch, subdivider, to complete the
improvements required for Carmel Mountain Ranch Unit
No. 2.

Subitem-B: (R-92-1352) ADOPTED AS RESOLUTION R-279627

Authorizing, the City Manager to release a portion of
the surety issued by Insurance Company of West in the
form of Performance Bond No. 13 44 17, so that the same
is reduced as follows:

1. For faithful performance, to the sum of \$197,382.
2. For the benefit of the contractor, subcontractor
and to persons renting equipment or furnishing labor or
materials, to the sum of \$98,691.

CITY MANAGER SUPPORTING INFORMATION: On September 9, 1985, the
City entered into an agreement with Carmel Mountain Ranch for the
construction of public improvements for Carmel Mountain Ranch
Unit No. 2. Performance Bond No. 13 44 17 issued by Insurance
Company of the West in the amount of \$744,837, was provided by
the subdivider. The agreement expired September 9, 1987. The
subdivider has requested a partial release of surety and an

extension of time to June 30, 1992 in which to complete the required improvements. Ninety-eight percent of the work has been complete to the satisfaction of the City Engineer, and the subdivider has requested a partial release of surety. The job order account has sufficient funds to cover anticipated future costs to the City. There are no mechanic's liens filed against the surety and there has not been a previous partial release. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. In accordance with Council Policy 800-11 and 600-21, respectively, it is recommended that the surety be reduced by an amount which is 75 percent of the value of the work completed. Therefore, 73.5 percent of the original surety will be released which will reduce the surety to \$197,382.

FILE LOCATION: SUBD-Carmel Mountain Ranch Unit No. 2

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-108:

Two actions relative to Carmel Mountain Ranch Unit No.
7:
(Carmel Mountain Ranch Community Area. District-5.)

Subitem-A: (R-92-1353) ADOPTED AS RESOLUTION R-279628

Granting an extension of time to June 30, 1992, to
Carmel Mountain Ranch, subdivider, within which to
complete the improvements required in Carmel Mountain
Ranch Unit No. 7.

Subitem-B: (R-92-1354) ADOPTED AS RESOLUTION R-279629

Authorizing the City Manager to release a portion of
the surety issued by Insurance Company of the West in
the form of Performance Bond No. 137431, so that the
same is reduced as follows:

1. For faithful performance, to the sum of \$170,733.

2. For the benefit of the contractor, subcontractor and to persons renting equipment or furnishing labor or materials, to the sum of \$85,366.50.

CITY MANAGER SUPPORTING INFORMATION: On April 28, 1986, the City entered into an agreement with Carmel Mountain Ranch for the construction of public improvements for Carmel Mountain Ranch Unit No.7. Performance Bond No. 137431 issued by Insurance Company of the West in the amount of \$593,855, was provided by the subdivider. The agreement expired on April 28, 1988. The subdivider has requested a partial release of surety and an extension of time to June 30, 1992 in which to complete the required improvements. Ninety-five percent of the work has been completed to the satisfaction of the City Engineer, and the subdivider has requested a partial release of surety. The job order account has sufficient funds to cover anticipated future costs to the City. There are no mechanic's liens filed against the surety and there has not been a previous partial release. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. In accordance with Council Policy 800-11 and 600-21, respectively, it is recommended that the surety be reduced by an amount which is 75 percent of the value of the work completed. Therefore, 71.25 percent of the original surety will be released which will reduce the surety to \$170,733.

FILE LOCATION: SUBD-Carmel Mountain Ranch Unit No. 7

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-109

Two actions relative to Carmel Mountain Ranch Unit
20-A:

(Carmel Mountain Ranch Community Area. District-5.)

Subitem-A: (R-92-1355) ADOPTED AS RESOLUTION R-279630

Granting an extension of time to June 30, 1992, to Carmel Mountain Ranch, subdivider, to complete the

improvements required for Carmel Mountain Ranch Unit
20-A.

Subitem-B: (R-92-1356) ADOPTED AS RESOLUTION R-279631

Authorizing the City Manager to release a portion of
the surety issued by Allied Mutual Insurance Company in
the form of Performance Bond No. 391459, so that the
same is reduced as follows:

1. For faithful performance, to the sum of \$314,091.
2. For the benefit of the contractor, subcontractor
and to persons renting equipment or furnishing labor or
materials, to the sum of \$157,045.50.

CITY MANAGER SUPPORTING INFORMATION: On April 25, 1988, the
City entered into an agreement with Carmel Mountain Ranch for the
construction of public improvements for Carmel Mountain Ranch
Unit 20-A. Performance Bond No. Bd 391459 issued by Allied
Mutual Insurance Company in the amount of \$1,185,250 was provided
by the subdivider.

The agreement expired on April 25, 1990. The subdivider has
requested a partial release of surety and an extension of time to
June 30, 1992 in which to complete the required improvements.
Ninety-eight percent of the work has been completed to the
satisfaction of the City Engineer, and the subdivider has
requested a partial release of surety. The job order account has
sufficient funds to cover anticipated future costs to the City.
There are no mechanic's liens filed against the surety and there
has not been a previous partial release. It is recommended that
the time extension be granted since the improvements to be
delayed are not necessary to serve adjacent developments or the
general public. In accordance with Council Policy 800-11 and
600-21, respectively, it is recommended that the surety be
reduced by an amount which is 75 percent of the value of the work
completed. Therefore, 73.5 percent of the original surety will
be released which will reduce the surety to \$314,091.

FILE LOCATION: SUBD-Carmel Mountain Ranch Unit 20-A CONT
FY92-1

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-110: (R-92-1359) ADOPTED AS RESOLUTION R-279632

Granting an extension of time to June 30, 1992 to Carmel Mountain Ranch, subdivider, to complete the improvements required in Rancho Carmel Unit No. 2. (Located southeast of I-15 and Camino Del Norte. Carmel Mountain Ranch Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: On April 26, 1982, the City entered into an agreement with Shapell-Carmel Mountain East Partnership, a California general partnership, for the construction of public improvements for Rancho Carmel Unit No. 2. The agreement expired on April 26, 1984. On September 10, 1984, the City entered into an amended agreement with Carmel Mountain Ranch, the new subdivider, and a time extension was granted to April 26, 1985, by Resolution No. R-261480. On July 1, 1985, the City granted a time extension to July 1, 1986, by Resolution No. R-263546. The subdivider has requested another extension of time to June 30, 1992 in which to complete the required improvements. The improvements are approximately 95 percent complete. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD-Rancho Carmel Unit No. 2

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-111:

Two actions relative to Carmel Mountain Ranch Unit 20-C:
(Located northeasterly of North City Parkway and Shoal Creek Drive. Carmel Mountain Ranch Community Area. District-5.)

Subitem-A: (R-92-1357) ADOPTED AS RESOLUTION R-279633

Granting an extension of time to June 30, 1992, to Carmel Mountain Ranch, subdivider, to complete the improvements required in Carmel Mountain Ranch Unit 20-C.

Subitem-B: (R-92-1358) ADOPTED AS RESOLUTION R-279634

Authorizing the City Manager to release a portion of the surety issued by Allied Mutual Insurance Company in the form of Performance Bond No. 391460, so that the same is reduced as follows: 1) For faithful performance, to the sum of \$346,133; 2) For the benefit of the contractor, subcontractor and to persons renting equipment or furnishing labor or materials, to the sum of \$173,066.50.

CITY MANAGER SUPPORTING INFORMATION: On May 9, 1988, the City entered into an agreement with Carmel Mountain Ranch for the construction of public improvements for Carmel Mountain Ranch Unit 20-C. Performance Bond No. Bd 391460 issued by Allied Mutual Insurance Company in the amount of \$1,203,940 was provided by the subdivider.

The agreement expired May 9, 1990. The subdivider has requested a partial release of surety and an extension of time to June 30, 1992 in which to complete the required improvements. Ninety-five percent of the work has been completed to the satisfaction of the City Engineer, and the subdivider has requested a partial release of surety. The job order account has sufficient funds to cover anticipated future costs to the City. There are no mechanic's liens filed against the surety and there has not been a previous partial release. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. In accordance with Council Policy 800-11 and 600-21, respectively, it is recommended that the surety be reduced by an amount which is 75 percent of the value of the work completed. Therefore, 71.25 percent of the original surety will be released which will reduce the surety to \$346,133.

FILE LOCATION: SUBD-Carmel Mountain Ranch Unit 20-C

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-112:

Three actions relative to Catalina Boulevard (Varona Street to Catalina Place) Underground Utility District: (Peninsula Community Area. District-2.)

Subitem-A: (R-92-1422) ADOPTED AS RESOLUTION R-279635

Establishing April 23, 1992, as the date all property within the Catalina Boulevard (Varona Street to Catalina Place) Underground Utility District must be ready to receive underground service, and June 1, 1992, as the date all overhead utility facilities within the district must be removed.

Subitem-B: (R-92-1423) ADOPTED AS RESOLUTION R-279636

Authorizing the City Auditor to open Fund 78057 for depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds; authorizing the City Treasurer to receive these funds from SDG&E; authorizing reimbursement payments to all qualified property owners in the district; authorizing the City Treasure to return to SDG&E any undisbursed funds upon written notice from SDG&E to the City that all electric service conversions within the district have been completed.

Subitem-C: (R-92-1424) ADOPTED AS RESOLUTION R-279637

Authorizing the expenditure of \$50,000 from the Annual Allocation-Undergrounding of City Utilities, CIP-37-028 (Capital Outlay Other) in addition to the earlier approved amount of \$12,500 for a total of \$62,500 for administering the district, minor City Force work, payment to SDG&E for purchase and installation of street lights, and other related work.

CITY MANAGER SUPPORTING INFORMATION: The Catalina Boulevard (Varona Street to Catalina Place) Underground Utility District was created by the City Council on April 4, 1989. The resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set April 23, 1992 as the Customer Ready Date, which will require that, upon this date, all affected customers within the underground utility district must have their services prepared to receive service from the new underground system. This action will also establish June 1, 1992 as the Pole Removal Date, which will require that, upon this

date, all overhead facilities within the underground utility district must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench. The property owner remains responsible for all remaining conversion costs.

Aud. Cert. 9200721.

FILE LOCATION: STRT K-185

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-113: TRAILED TO MARCH 31, 1992, DUE TO LACK OF TIME

Two actions relative to the Sabre Springs Facilities
Benefit Assessment:
(See City Manager Report CMR-92-83. Located east of
I-15 and north and south of Poway Road. District-5.)

Subitem-A: (R-92-1296)

Approving the document entitled "Sabre Spring Public
Facilities Financing Plan and Facilities Benefit
Assessment, February, 1992."

Subitem-B: (R-92-1297)

Resolution of Intention to designate an area of benefit
in Sabre Springs; setting the time and place for a
public hearing.

FILE LOCATION: STRT-FB-9

ITEM-114: TRAILED TO MARCH 31, 1992, DUE TO LACK OF TIME

Two actions relative to the Scripps Miramar Ranch
Facilities Benefit Assessment:
(Scripps Miramar Ranch Community Area. District-5.)

Subitem-A: (R-92-1430)

Approving the document entitled "Scripps Miramar Ranch
Public Facilities Financing Plan and Facilities Benefit
Assessment Fiscal Year 1993, February 1992."

Subitem-B: (R-92-1431)

Resolution of Intention to designate an area of benefit
in Scripps Miramar Ranch; setting the time and place
for a public hearing.

FILE LOCATION: STRT-FB-11

ITEM-115: TRAILED TO MARCH 31, 1992, DUE TO LACK OF TIME

Two actions relative to the Tierrasanta Facilities
Benefit Assessment:
(Located east of I-15 and north of Friars Road.
District-7.)

Subitem-A: (R-92-1280)

Approving the document entitled "Tierrasanta Public
Facilities Financing Plan and Facilities Benefit
Assessment, February, 1992."

Subitem-B: (R-92-1281)

Resolution of Intention to designate an area of benefit
in Tierrasanta; setting the time and place for a public
hearing.

FILE LOCATION: STRT-FB-10

* ITEM-116: (R-92-1384) ADOPTED AS RESOLUTION R-279638

Authorizing the City Manager to execute a deed
conveying to San Diego Gas and Electric Company, an

easement for electrical services to a City lessee, San Pasqual Valley School, in a portion of San Pasqual Valley Road, east of Battle Monument Interpretive Center.

(San Pasqual Valley Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: San Pasqual Valley School, a City lessee, requested additional electrical service from SDG&E for the school's well site and two existing buildings located on the lease-hold. In order to extend this service, SDG&E will require an easement from the City. The proposed easement will be 12 feet wide and 115.89 feet long and will be located on the west side of the main school building. The City's Water Utilities Department and the Agricultural Lease Manager have reviewed and recommended approval of the easement.

FILE LOCATION: DEED F-5787 DEED FY92-1

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-117:

Two actions relative to Otay Regional Park Trail and Emergency Access Easement:

Subitem-A: (R-92-1386) ADOPTED AS RESOLUTION R-279639

Authorizing the City Manager to execute a Grant of Easement and accompanying Real Property Contract, conveying to the County of San Diego, an easement for a trail and emergency access purposes across a portion of City-owned Lot 5, Fractional Section 18, Township 18 South, Range 1 East, S.B.B.M.,

Subitem-B: (R-92-1387) ADOPTED AS RESOLUTION R-279640

Certifying that the information contained in Environmental Negative Declaration Log No. 88-19-35, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: The County has requested a 12-foot by 1,949.45 foot (23,393 sq.ft.) trail and emergency access easement across Water Utilities property from Lower Otay Park, which they currently own, to a 40-acre County leasehold acquired from the United States Department of the Interior, Bureau of Land Management (BLM), for park and recreational purposes. By prior agreement with the BLM, the Council lease would go to patent (full conveyance of title) if the County acquires this access easement. There is also the possibility of obtaining other BLM land adjacent to the 40-acre County parcel as a result of this action.

WU-PR-92-046.

FILE LOCATION: DEED F-5788 DEED FY92-1

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-118: (R-92-1344) ADOPTED AS RESOLUTION R-279641

Approving the acceptance by the City Manager of a street easement deed of La Jolla Promenade Partners, granting to the City an easement for public street purposes in a portion of Lots 20, 21, 22, 23, 24 and 25 of Block 17 of Bird Rock City by the Sea, Map-975; dedicating said land as and for a public alley.
(La Jolla Community Area. District-1.)

FILE LOCATION: DEED F-5789 DEED FY92-1

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-119: (R-92-1435) ADOPTED AS RESOLUTION R-279642

Declaring the continued state of emergency regarding
repair of the Point Loma Ocean Outfall.

CITY MANAGER SUPPORTING INFORMATION: On February 5, 1992 the City Council declared a state of emergency as a result of a break in the Point Loma Ocean Outfall impacting public health and safety. The Government Code requires the local governing body to review that state of emergency every fourteen days until the local emergency is declared terminated. This action requests the continuation of the declared state of emergency.

FILE LOCATION: WATER-State of Emergency Point Loma Ocean
Outfall

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-120: (R-92-1365) ADOPTED AS RESOLUTION R-279643

Authorizing the City Manager to apply for an \$8,700
Fiscal Year 1992 Local Assistance Grant from the
California State Department of Education to supplement
adult literacy services; authorizing the City Manager
to apply for available Local Assistance Grant funds in
successive years.

CITY MANAGER SUPPORTING INFORMATION: The California Department of Education (CSDE) provides Local Assistance Grants under the Adult Basic Education Act, P.L. 100-297, to supplement local and state funds to enable adults to acquire basic literacy skills, complete elementary school courses, and/or secure training for employment and citizenship. A base grant of \$3,500 is awarded to each successful applicant, with a supplemental amount added based upon annual student attendance. READ/San Diego, the San Diego Public Library's literacy program, has received CSDE grants in FY 1990 and 1991, and is eligible to receive an \$8,700 grant in FY 1992. It is expected that READ/San Diego will continue to be eligible for, and will apply for, CSDE grants to supplement local funding in future years.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-121: (R-92-1441) ADOPTED AS RESOLUTION R-279644

Supporting the YMCA Childcare Resource Service and the
University of San Diego's Forum to create a Community
Agenda for Child Care and Development; accepting the
invitation to be a partner in the Forum and agreeing
to: 1) Permit "Mayor and San Diego City Council" to be
printed on the Forum letterhead; 2) Send
representatives to the Forum; and 3) participate in the
action plan.
(See memorandum of Childcare Resource Service dated
3/12/92.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-122: (R-92-1308) ADOPTED AS RESOLUTION R-279645

Excusing Councilmember Judy McCarty from attending the
Special Workshop of the City Council on Homelessness,
on Thursday, February 20, 1992, due to illness.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-123:

Two actions relative to Mercy Road and Scripps North Parkway:
(Mira Mesa and Miramar Ranch North Community Areas.
District-5.)

Subitem-A: (R-92-1380) ADOPTED AS RESOLUTION R-279646

Setting aside a portion of City-owned Lot 119 of Canyon Hills P.R.D., Map-11833, for public street purposes and for abutters rights of access; dedicating said land as and for a public street naming the same Mercy Road.

Subitem-B: (R-92-1381) ADOPTED AS RESOLUTION R-279647

Dedicating a portion of the Southeast Quarter of Section 20, Township 14 South, Range 2 West, S.B.M., for a public street, and naming the same Scripps North Parkway.

CITY MANAGER SUPPORTING INFORMATION: This action dedicates right-of-way necessary for the widening of the ramps to the Mercy Road/I-15 Interchange required by the Miramar Ranch North Community plan approved May 21, 1987. On April 17, 1990, the City Council approved a Cooperative Agreement between the City of San Diego and CalTrans (RR-27493) which provided for the design, environmental, and right-of-way requirements for the modification of the interchange. On the same date, the City Council also approved an agreement between the City and McMillin (RR-275510) which obligated McMillin to perform the City's responsibilities outlined in the agreement between the City and CalTrans. Under the terms of the agreement, the City acquired the right-of-way, which was paid for by McMillin, who in turn will be reimbursed by Mello-Roos funds. A small strip of the necessary right-of-way includes a portion of City-owned Lot 119 of Canyon Hills. The City is receiving compensation in the amount of \$4,000 from McMillin based on a City approved independent fee appraisal.

FILE LOCATION: SUBITEM-A: DEED F-5790; SUBITEM-B: DEED
F-5791 DEED FY92-2

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-124: (R-92-1229) ADOPTED AS RESOLUTION R-279648

Authorizing the execution of a Fund Transfer Agreement between the City of San Diego and the Metropolitan Transit Development Board, subject to the availability of monies, to fund costs relating to the Bayside Light Rail Transit Project; authorizing the expenditure of an amount not to exceed \$5 million from the Trolley Extension Reserve Fund (10226), for the purpose of providing funds for fund transfer agreement; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(District-2.)

CITY MANAGER SUPPORTING INFORMATION: Council Policy 100-03 expresses Council's intent to provide financial support for extension of the San Diego Trolley by ensuring a local revenue source to qualify for State and Federal funding as called for in the Regional Transportation Plan. The policy includes direction to the City Manager for inclusion of a Trolley Extension Reserve allocation in the annual proposed budget equivalent to 8/10 of one cent of the Transient Occupancy Tax that began in January 1, 1985, less Navy Field proceeds and administrative costs. MTDB is requesting a Fund Transfer Agreement for the purpose of funding project expenses related to Bayside Light Rail Transit Phase III (Broadway - Grape Street). The requested Fund Transfer Agreement would transfer \$5,000,000 from the Trolley Extension Reserve Fund, subject to availability of monies, to MTDB. The transfer of funds will occur upon MTDB's submission to the City of invoices/requisitions and supporting documentation for costs incurred or financial obligations.

Aud. Cert. 9200651.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-125: (R-92-1329) ADOPTED AS RESOLUTION R-279649

Authorizing the execution of an agreement with Beyaz and Patel, Inc. for as-needed engineering services for the Water Utilities Department Metro Division; authorizing the expenditure of an amount not to exceed \$50,000 from Sewer Revenue Fund No. 41508, for the purpose of providing funds for the project; authorizing the City Manager to finance or refinance this agreement with tax exempt securities, if circumstances so warrant.

(Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The proposed agreement with Beyaz and Patel, Inc., will provide as-needed civil engineering services for the Point Loma Wastewater Treatment Plant. Services may include, but not be limited to: thorough engineering testing, field investigations and evaluation of existing structures and equipment; the preparation of design reports; recommending alternatives and providing plans, specifications and cost estimates for new facilities as well as for the restoration and modification of existing facilities and equipment; and assisting plant staff in maintaining and verifying accurate sewer flow metering. The proposed consultant was selected in conformance with Council Policy 300-7. The Design Consultant Nominating Committee certified five firms from the Junior Civil Engineering (Water/Sewer) "As-Needed" list which was short-listed at the August 22, 1991, Consultant Nominating Committee Meeting. The five firms were interviewed by the Water Utilities Department and Beyaz and Patel, Inc., was recommended to, and approved by the City Manager.

Aud. Cert. 9200691.

WU-U-92-099.

FILE LOCATION: WATER-Beyaz and Patel, Inc.; Point Loma
Wastewater Treatment Plant CCONT FY92-1

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-126: (R-92-1364) ADOPTED AS RESOLUTION R-279650

Authorizing the execution of an agreement with HYA Consulting Engineers, for professional services required for the design of Sewer Pump Station No. 24; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$256,680 from CIP-46-106.0, Sewer Pump Station Restoration, to CIP-46-142.0, Sewer Pump Stations 24 and 26; authorizing the expenditure of an amount not to exceed \$256,680 from Sewer Revenue Fund No. 41506, CIP-46-142.0, Sewer Pump Stations 24 and 26, for the purpose of providing funds for the above project. (La Jolla Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: This agreement is for the upgrade and replacement of Sewer Pump Station No. 24 in La Jolla at 298 Coast Boulevard. The existing pump station was built in 1952 and is now undersized for peak flows and has experienced operational problems. In addition to upgrading the existing pump station, an emergency back-up generator is proposed to improve reliability. This project was advertised in the San Diego Daily Transcript on May 4, 1991, with 22 consultants responding. Six consultants were interviewed in accordance with Council Policy 300-7, and HYA Consulting Engineers was selected. HYA's responsibilities will include preliminary design preparation of construction plans, specifications and cost estimates for a new pump station, force main, and support services during construction for a contract amount not to exceed \$256,680. HYA Consulting Engineers is a Minority Business Enterprise (MBE) certified with the City of San Diego. Project sub-consultants are: Mark Balan and Associates (MBE), Electrical and Instrumentation (\$14,968, 6.2%); Atkinson, Johnson and Spurrier, Structural (\$13,952, 5.7%); The Terry Group, Architectural (\$20,589, 8.5%); Ninyo and Moore (MBE), Geotechnical (\$6,200, 2.6%); Keller Environmental Associates (WBE), Environmental (\$15,587, 6.5%); Jon Blake and Associates, Surveying (\$6,450, 2.7%); and Nolte and Associates, Traffic Control (\$3,900, 1.6%). The total project MBE participation is 76 percent and the WBE participation is 6.5%.

Aud. Cert. 9200685.
WU-P-92-070.

FILE LOCATION: WATER-HYA Consulting Engineers, Sewer Pump
Station No. 24 CCONT FY92-1

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-127: (R-92-1363) ADOPTED AS RESOLUTION R-279651

Authorizing the execution of a five-year Right of Entry Permit, with a sixty-day cancellation clause, with Point Loma Community Presbyterian Church, for the use of City-owned Lot 38 of Point Loma Villas, as a parking lot, at a rent of \$100 per month.
(Point Loma Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The Point Loma Community Presbyterian Church has used a vacant City-owned lot at Voltaire and Poinsettia Drive for overflow parking for its church services under a Right of Entry Permit since November 1988. This permit expires November 21, 1991 and is presently on holdover. As compensation to the City, the permittee pays \$100 per month rent, provides a security fence, and permits the public to use its parking lot for City use (branch library parking) under a separate agreement between the City and the Church. It is proposed that the City enter into a new five year Right of Entry Permit agreement with a sixty day cancellation clause exercisable by either party. All other terms and conditions of the former permit will remain the same, including the City's right to use the church parking lot for library patrons.

FILE LOCATION: LEAS-Point Loma Community Presbyterian Church
LEAS FY92-1

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-128: (R-92-1434) ADOPTED AS RESOLUTION R-279652

Authorizing the execution of an agreement with Daniel, Mann, Johnson & Mendenhall for professional consulting services in connection with the western segment of the Mission Valley effluent pipeline; authorizing the

expenditure of not to exceed \$469,700 from the Clean Water Program Fund 41509, CIP-40-910.0, Mission Valley Effluent Pipeline to be financed in the following manner:

1. \$117,425 from Fiscal Year 1992 appropriations.
2. \$281,820 from Fiscal Year 1993 appropriations, contingent on approval of FY 1993 CIP budget.
3. \$18,788 from Fiscal Year 1994 appropriations, contingent on approval of FY 1994 CIP budget.
4. \$37,576 from Fiscal Year 1995 appropriations, contingent on approval of FY 1995 CIP budget.
5. \$14,091 from Fiscal Year 1996 appropriations, contingent on approval of FY 1996 CIP budget.

Authorizing the City Manager to finance or refinance this project with tax exempt securities, if circumstances so warrant.
(Mission Valley Community Area. Districts-6,7.)

CITY MANAGER SUPPORTING INFORMATION: The Mission Valley Effluent Pipeline is an integral part of the Central Subsystem. The implementation schedule for the Central Subsystem is dictated by the Consent Decree negotiated with the EPA and the State, as well as the need for additional sewage capacity. The recommended pipeline route extends from the intersection of Fairmount and Twain Avenues; west along Twain Avenue to Rancho Mission Road; south on Ward Road; west along the southern edge of the San Diego Jack Murphy Stadium parking lot; at the southwest corner of the parking lot the route traverses west along Camino del Rio North and Camino del la Reina. At Avenida del Rio, the route turns north to the Fashion Valley parking lot, west to Fashion Valley Road; north to Friars Road; west to the intersection of Napa Street where it connects to the proposed San Diego River Outfall. This contract is for design services and assistance for project management of the western portion of this pipeline. The Mission Valley Effluent Pipeline will convey effluent from the Santee, Mission Gorge and Mission Valley water reclamation plants to the San Diego River Outfall. This pipeline is 54" in diameter and approximately 34,000 feet long. This contract is for design of the westerly 11,200 feet of this pipeline. The construction will start in mid-1994. The MBE/WBE goals for this agreement are 12 percent MBE and 3 percent WBE. The MBE/WBE participation for this agreement is 17.2 percent MBE and 12.2 percent WBE. With this agreement, approximately 20 local jobs could be provided.

FILE LOCATION: WATER-Daniel Mann, Johnson & Mendenhall,
Mission Valley effluent pipeline CCONT
FY92-1

COUNCIL ACTION: (Tape location: H336-341.)

MOTION BY McCARTY TO ADOPT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-not present, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

* ITEM-129: (R-92-1335) ADOPTED AS RESOLUTION R-279653

Authorizing the execution of a first amendment to agreement with the City of Poway, for emergency and medical dispatching services by the Fire Department's Computer Aided Dispatch System (CAD); providing for reimbursement of the cost of equipment required to participate in the system; and revising the formula for the computation of Poway's annual fees.

CITY MANAGER SUPPORTING INFORMATION: This agreement revises the emergency fire and medical dispatching agreement between San Diego and the City of Poway (RR-252520). The revised agreement includes Poway's share of the cost of equipment and specific charges related to the operation of the Fire Department's Computer Aided Dispatch System (CAD) which was implemented in October, 1991. The formula used to compute annual fees is changed to more accurately to reflect Poway's share of the cost to operate the Fire Communications Center. In addition, this agreement will establish a fee for any special mapping and response planning services requested by Poway and performed by San Diego.

FILE LOCATION: MEET CONT FY92-1

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-130: (R-92-1425) ADOPTED AS RESOLUTION R-279654

Authorizing the execution of a lease agreement with Dixieline Lumber Company, replacing its present lease, for approximately 3.8 acres of land located at 3250 Sports Arena Boulevard, with the following provisions:

- An expiration date of 2015;
- An initial annual rent of \$250,000, with adjustments in the years 2000 and 2010 to fair market rent;
- Lessee's option to terminate the lease in the years 2000 and 2010;
- City to receive 50 percent of the proceeds (less costs such as real estate commissions) from an assignment of the leasehold premises.

(Midway Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: In 1967, the City executed a ground lease for approximately 11 acres on Sports Arena Boulevard with Union Breitbard Joint Venture. Union Breitbard subsequently executed a sublease with Dixieline Lumber Company for approximately 3.8 acres of this City land. Union Oil, successor-in-interest to Union Breitbard, sold their interest in the land to the City in 1985, thereby making Dixieline Lumber Company the City's direct lessee. The lease with Dixieline will expire in 2015. However, Dixieline has the right to terminate the lease in 2000. The City was entitled to receive an annual rent of \$29,007 until November 1990. A rental adjustment due in November 1990 prompted an update of the lease to reflect the current relationship and intentions of the parties. The proposed lease would replace the existing lease and provide for annual rent of \$250,000 effective November 1990. Consumer Price Index rental adjustments would be made every 3 years not to exceed a 15 percent rental increase. In addition, the rent would be further adjusted in the years 2000 to 2010 to fair market rent considering restrictions on use contained in the lease. The term of the proposed lease would expire in 2015 and Dixieline would have the option to terminate its lease in the years 2000 and 2010. The proposed lease also generally provides that the City will receive 50 percent of proceeds (less costs such as real estate commissions) from an assignment of the premises by Dixieline, excluding a sale of all or substantially all of Dixieline's assets.

FILE LOCATION: LEAS-Dixieline Lumber Company LEAS FY92-1

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-131:

Four actions relative to lease agreements for
City-owned land in San Pasqual Valley:
(See City Manager Report CMR-92-87. San Pasqual
Community Area. District-5.)

Subitem-A: (R-92-1263) ADOPTED AS RESOLUTION R-279655

Authorizing the City Manager to execute a 15-year lease
agreement with Wilkens Nursery, for the use of
approximately five acres of City-owned land in San
Pasqual Valley for the operation of a nursery, at an
initial annual rent of \$2,000.

Subitem-B: (R-92-1264) ADOPTED AS RESOLUTION R-279656

Authorizing the City Manager to execute a 15-year lease
agreement with Norka Industries, Inc., for the use of
approximately 17 acres of City-owned land in San
Pasqual Valley for the operation of an ostrich ranch,
at an initial annual rent of \$9,500.

Subitem-C: (R-92-1265) ADOPTED AS RESOLUTION R-279657

Authorizing the City Manager to execute a 15-year lease
agreement with Gary Wood/Robert Smith, for the use of
approximately 30 acres of City-owned land in San
Pasqual Valley for the operation of a nursery, at an
initial annual rent of \$11,000.

Subitem-D: (R-92-1266) ADOPTED AS RESOLUTION R-279658

Authorizing the City Manager to execute a 15-year lease
agreement with Three C Growers, for the use of
approximately 40 acres of City owned land in San
Pasqual Valley for the operation of a nursery, at an
initial annual rent of \$11,500.

FILE LOCATION: SUBITEM-A: LEAS-Wilkens Nursery; SUBITEM-B:
LEAS-Norka Industries, Inc.; SUBITEM-C:

LEAS-Gary Wood/Robert Smith; SUBITEM-D:
LEAS-Three C Growers LEAS FY92-4

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-200:

Two actions relative to proposed Public Art Council
Policy:
(See City Manager Report CMR-92-51.)

Subitem-A: (O-92-96) INTRODUCED, TO BE ADOPTED APRIL 20,
1992

Introduction of an Ordinance amending Chapter II,
Article 6, Division 7, of the San Diego Municipal Code
by amending Sections 26.0701, 26.0703, 26.0705 and
26.0706; and by repealing Section 26.0704, relating to
Commission for Arts and Culture.

Subitem-B: (R-92-1373) ADOPTED AS RESOLUTION R-279659

Adoption of a Resolution establishing Council Policy
900-11, regarding Artist(s) Involvement in Selected
Capital Improvement Projects.

FILE LOCATION: SUBITEM-A: --; SUBITEM-B: MEET

COUNCIL ACTION: (Tape location: A587-632.)

MOTION BY McCARTY TO INTRODUCE SUBITEM-A AND ADOPT
SUBITEM-B. Second by Stevens. Passed by the following
vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,
Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

ITEM-201: TRAILED TO MARCH 31, 1992

Two actions relative to sewer rates:

Subitem-A: (R-92-1436)

A Resolution in the matter of sewer rates to support debt financing of the Clean Water Program Capital Improvement Projects.

Subitem-B: (R-92-)

Directing the Department of Legislative Services and requesting our local Congressional delegation to sponsor legislation which will provide 75 percent federal funding for our federally mandated Clean Water Program.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A510-550.)

MOTION BY ROBERTS TO TRAIL THE ITEM TO MARCH 31, 1992, AS REQUESTED BY COUNCIL MEMBER BEHR. Second by Mayor O'Connor. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-202: (R-92-1444) CONTINUED TO APRIL 20, 1992

Endorsing the distribution by the Centre City Development Corporation (CCDC) of the "Social Issues Strategy: Defining the Redevelopment Agency's Role in Reducing Homelessness in Centre City San Diego 1992-2002"; concurring in the solicitation of input from the public concerning the draft Centre City Strategy; directing the City Manager to return with a report on how a City-wide homeless strategy might be developed, including the creation of a City task force to oversee its implementation.
(See City Manager Report CMR-92-103.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A510-550.)

MOTION BY ROBERTS TO CONTINUE TO APRIL 20, 1992, AS REQUESTED BY MAYOR O'CONNOR. Second by Mayor O'Connor. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-203:

(Continued from the meeting of March 16, 1992, Item 202, at the City Manager's request, to allow the affected parties to be present.)

Two actions relative to Memorandum of Understanding regarding the potential development of a new Sports Arena/Amendment to present Sports Arena lease documents:

(See City Manager Report CMR-92-85. Midway Community Area. District-2.)

Subitem-A: (R-92-1309) ADOPTED AS AMENDED AS
RESOLUTION R-279660

Authorizing the City Manager to execute an Amended and Restated Memorandum of Understanding with Ronald E. Hahn and C. Samuel Marasco, regarding the potential development of a new Sports Arena.

Subitem-B: (R-92-1310) ADOPTED AS RESOLUTION R-279661

Authorizing the City Manager to execute a Second Amendment to Operating Sublease with San Diego Entertainment, Inc., to update the terms of the lease documents of the present Sports Arena.

FILE LOCATION: SUBITEM-A: MEET; SUBITEM-B: LEAS-San Diego
Entertainment, Inc. CONT FY92-1; LEAS
FY92-1

COUNCIL ACTION: (Tape location: F454-H264.)

MOTION BY ROBERTS TO ADOPT ITEM 203 APPROVING THE CITY MANAGER'S RECOMMENDATION AND TO INCORPORATE MODIFIED LANGUAGE TO PARAGRAPH 3A OF THE AMENDED AND RESTATED MEMORANDUM OF UNDERSTANDING AS FOLLOWS: "...EXCEPT ANY OUTDOOR FACILITY THAT HAS NO MORE THAN 10,000 FIXED, PERMANENT SEATS AND IS OUTSIDE OF AN EIGHT MILE RADIUS FROM 202 C STREET, SAN DIEGO." Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-204: (R-92-1439) ADOPTED AS RESOLUTION R-279662

Council confirmation of the following appointment and reappointments by the Mayor to the La Jolla Shores Planned District Advisory Board, for terms expiring as indicated:

(See memorandum from Mayor O'Connor dated 3/18/92 with resume attached.)

NAME TERM ENDING

Sara F. Moser April 1, 1993

(to replace J. Brian O'Donnell,
who has resigned)

Patricia K. Miller (Chair) April 1, 1994
(Reappointment)

Edward A. Marshall April 1, 1994
(Reappointment)

William F. Woods April 1, 1994
(Reappointment)

Elliot Jay Schulnick April 1, 1994
(Reappointment)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A587-632.)

MOTION BY McCARTY TO ADOPT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-205: (R-92-1438) ADOPTED AS RESOLUTION R-279663

Council confirmation of the appointments and reappointments by the Mayor to the Quality of Life Board, for terms expiring as indicated:

(See memorandum from Mayor O'Connor dated 3/18/92 with resume attached.)

APPOINTMENTS TO EXPIRE MARCH 1, 1993

Kathryn W. Fulhorst

(Replacing Harriet G. Kopp, whose term has expired.)

Hinako S. Dumas

(Replacing Diane Takvorian, whose term has expired.)

REAPPOINTMENTS TO EXPIRE MARCH 1, 1994

Donald R. Short

Linda Kaye Harter
Patrick L. Abbott
Christopher G. Carstens

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A587-632.)

MOTION BY McCARTY TO ADOPT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-206:

(Continued from the meeting of March 16, 1992, Item 108, at Councilmember Stevens' request, to allow time to meet with the developer.)

Two actions relative to North Creek Homes Unit No. 2:

(Mountain View Community Area. District-4.)

Subitem-A: (R-92-1254 Rev.1) ADOPTED AS AMENDED AS
RESOLUTION R-279664

Granting an extension of time to January 8, 1994 to Imperial II, subdivider, to complete the improvements required for North Creek Homes Unit No. 2.

Subitem-B: (R-92-1255 Rev.1) ADOPTED AS AMENDED AS
RESOLUTION R-279665

Granting an extension of time to January 8, 1994 to Imperial II, subdivider, to complete the improvements required in San Pasqual Street, for North Creek Homes Unit No. 2.

CITY MANAGER SUPPORTING INFORMATION: On February 29, 1988, the City entered into a subdivision improvement agreement with Imperial II, a joint venture, for the construction of public improvements for North Creek Homes Unit No. 2, and into the San Pasqual Street agreement, to share in the cost of acquiring and improving San Pasqual Street. The subdivision improvement agreement expired February 28, 1990, and the street agreement will expire February 28, 1993. The subdivider has requested extensions of time to January 8, 1994 in which to complete the

required public improvements and the improvements called for in the San Pasqual Street agreement. It is recommended that the time extensions be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension for the subdivision improvement agreement is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD-North Creek Homes Unit No. 2

COUNCIL ACTION: (Tape location: H285-328.)

MOTION BY STEVENS TO ADOPT AS AMENDED, EXTENDING THE SUBDIVISION AGREEMENT TO RUN CONCURRENT WITH THE STREET AGREEMENT, TO EXPIRE ON FEBRUARY 28, 1993. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-207: (O-92-115) INTRODUCED, TO BE ADOPTED APRIL 20, 1992

Introduction of an Ordinance amending Ordinance No. 8760 (New Series) and constituting the fourth amendment to Ordinance No. 8760 (New Series), relating to the granting of a non-exclusive pipeline franchise to San Diego Pipeline Company for a period of 40 years, to install, construct, maintain and operate a pipeline for the transportation of refined petroleum products and other hydrocarbon substances in certain City streets.

(Carmel Valley, Sorrento Valley, Miramar, Kearny Mesa, Serra Mesa, Mission Valley, Normal Heights, North Park and Logan Heights Community Areas.
Districts-1,3,5,6,8.)

CITY MANAGER SUPPORTING INFORMATION: San Diego Pipeline Company was granted a franchise in 1962 for the installation, maintenance, and operation of a pipeline in certain City streets. The purpose of the pipeline was for the transportation of refined petroleum products and other hydrocarbon substances excluding propane, butane, natural gas and other gases. The term of the franchise expires in 2003. The franchise has been amended three times in the past to allow for relocations of and an addition to the pipeline. SFPP, L.P. emerged as successor-in-interest to the assets of San Diego Pipeline Company in 1988 through a complex reorganization approved by the California Public Utilities

Commission. As the franchise provides that it may not be transferred without consent of the City expressed by ordinance and then only on the conditions herein prescribed, an ordinance has been negotiated over the last two years which updates the provisions of the franchise and consents to the transfer. The proposed ordinance increases franchise fees to be paid to those prescribed by California Public Utilities Code Section 6231.5(b)(1). Increased franchise fees are retroactive to the date of transfer of the franchise of December 19, 1988 and will increase each January by increases in the Consumer Price Index. Provisions regarding testing, insurance, indemnity, and equal opportunity have also been updated.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A587-632.)

Hearing began at 2:43 p.m. and halted at 2:48 p.m.

MOTION BY McCARTY TO INTRODUCE. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-208:

Consideration of an amendment to the City of San Diego Municipal Code, Chapter X, Article 1, Division 5, Section 101.0510.C.3.o amending the Conditional Use Permit (CUP) to allow establishment of Temporary Worker Camps for farm workers and day laborers. Such camps would be restricted to the agriculturally zoned land in the Future Urbanizing Area (FUA) as designated in the City of San Diego Progress Guide and General Plan. Further more, within the FUA projects would not be allowed in the Coastal Zone, Hillside Review, Floodway, or Floodplain Fringe Overlay Zones or in Miramar Naval Air Station.
(Districts 1, 5 and 7.)

Subitem-A: (R-92-1390) ADOPTED AS RESOLUTION R-279666

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-91-0727 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said

declaration has been reviewed and considered by the Council.

Subitem-B: (R-92-1389 Cor.Copy) ADOPTED AS RESOLUTION
R-279667

Adoption of a Resolution adopting the "City of San Diego Development Requirements and Guidelines for Temporary Worker Camps."

Subitem-C: (O-92-124) INTRODUCED AS AMENDED, TO BE
ADOPTED APRIL 20, 1992

Introduction of an Ordinance amending the San Diego Municipal Code.

FILE LOCATION: SUBITEMS-A&B: MEET; SUBITEM-C: - -

COUNCIL ACTION: (Tape location: B043-F445.)

Hearing began at 2:49 p.m. and halted at 6:00 p.m.

Testimony in favor by Father John Howard, Steve Feher, Lou Adamo, Heriberto Rodriguez, Juan Guerrero, Mark Braumley, Msgr. Lawrence Purcell, Albert Graph, Winnie Pierce, Adele Santos, Frank Landerville, Art Salzberg, Brian Bennett, Claudia Smith, Tom Sheffer, Jim Hansen, Delores Serrano Velez, Bob Warner, Scott Harvey, Bob Grahm, Von Lyons, and Carol Hallstrom.

Testimony in opposition by William Davis, Ben Maloney, Beth Weiner, Julie Garn, Bob Chew, Peter Navarro, Christina Buckingham, Bob Dye, Hal Carpenter, Candy Methven, Karen La Valley, Sheryl Peterson, Barbara Schackleford, Joyce Limont, Ruth Caspari, Bill Caspari, Alice Oslund, Helen Manning, Suzanne Middleton, Frank Opren, Nobue Bryce, Constance Smith, Bob Gary, Marcy Valentine, Keith Metsin, Barbara Anderson, Hal Streckert, DeAnn Erickson, Jean Pippin, John Pippin, Cher Bettincourt, Diane Streckert, Kim Hysny, Bill Morris, Anita Walsh, Karen Youngdale, Lillie Young, John Allen, Ann Killhofer, Bob Killhofer, Peter Imbesi, Jeffrey Scott, Sergio D'Alessio, Robert Begley, Marie A. Kirby, Grace Boothe, Julie Howe, Gerrye Riffenburgh, Linda Michael, Dave Kreitzer, Kevin McNamara, Davis Whiting, Bruce Henderson.

Mayor O'Connor closed the hearing.

MOTION BY BEHR TO DELETE FROM THE PERMIT PROCESS THE LAKE

HODGES/SAN PASQUAL VALLEY CITY-OWNED LANDS. Second by Hartley. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Stevens-nay, Behr-yea, Stallings-nay, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

MOTION BY WOLFSHEIMER TO ADOPT ITEM 208 SUBITEMS A AND B, AND INTRODUCE SUBITEM C. A CONDITIONAL USE PERMIT (CUP) WILL NOT BE APPROVED UNTIL THE APPLICANT HAS WORKED OUT ALL THE ISSUES WITH THE ADJACENT COMMUNITY AND UNTIL THE RULES HAVE BEEN FOLLOWED FOR SETTING UP A SAFE CONVENIENT SITE IN ANY COMMUNITY. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-nay, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

Motion by Wolfsheimer to refer to the City Manager the forming of a joint committee composed of camp organizers and the community to work together to find a long-term solution and to report back to Council on April 20, 1992, as directed by Mayor O'Connor. Second by Hartley. Passed. Yeas: 1,2,3,4,5,6,7,8,M. Nays: None. Not present: None.

The following individuals were selected as representatives for the joint committee with Mike Stepner as staff coordinator:

Kevin McNamara, Chairperson
Representatives from the Opposition:
Keith Metsin
Ben Maloney
Kim Hysny
Representatives from the Proponents:
Winnie Pierce (Esperanza)
Steve Faher (Esperanza)
Steve Yunker
Representative from the Migrant Workers:
Heriberto Rodriguez

ITEM-S400: (R-92-1470) ADOPTED AS RESOLUTION R-279668

Directing the City Manager or his designee to immediately assume full and complete responsibilities for the operation and management of the San Diego Housing Commission and the Housing Authority of the City of San Diego, pursuant to City Charter Section 28; authorizing the City Manager to cause a comprehensive financial and personnel audit of the San Diego Housing Commission.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H264-285.)

MOTION BY STALLINGS TO ADOPT ITEMS S400, S403, AND S407.
Second by Mayor O'Connor. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea,
Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

ITEM-S401: (R-92-1472) TRAILED TO MARCH 31, 1992

Supporting the efforts of the Environmental Health
Coalition to obtain designation of San Diego Bay as an
estuary of national significance.
(See memorandum from Deputy Mayor Ron Roberts and
Councilmember John Hartley dated 3/10/92.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A478-510.)

MOTION BY McCARTY TO TRAIL THE ITEM TO MARCH 31, 1992, AS
REQUESTED BY THE CITY MANAGER, FOR FURTHER EVALUATION.
Second by Stevens. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea,
Behr-yea, Stallings-yea, McCarty-yea, Filner-nay, Mayor
O'Connor-yea.

* ITEM-S402: (R-92-1457) ADOPTED AS RESOLUTION R-279669

Endorsing the proposed California Pension Protection
Act and encouraging all San Diegans to support its
passage.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S403: (R-92-1215) ADOPTED AS RESOLUTION R-279670

(Continued from the meeting of March 23, 1992, Item S413, at Councilmember Behr's request, due to lack of time.)

Authorizing the City Auditor and Comptroller to accept a loan repayment of \$250,000 from the Redevelopment Agency, Gateway Center West Project Area; and to appropriate \$130,000 to be loaned back to the Redevelopment Agency, Central Imperial Study Area; and \$120,000 to be loaned back to the Redevelopment Agency, Dells Imperial Study Area; authorizing the City Auditor and Comptroller to transfer \$250,000 from the Contribution to the Redevelopment Agency Fund (10227) to the Redevelopment Agency for the above purpose; directing the City Auditor and Comptroller to record the above disbursements to the Central Imperial and Dells Imperial Study Areas as interest bearing loans to the Agency, upon adoption of the study areas, to be repaid as soon as practicable from tax increment or other revenues.

(See memorandum from SEDC President.)

Aud. Cert. 9200740.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H264-284.)

MOTION BY STALLINGS TO ADOPT ITEMS S400, S403, AND S407. Second by Mayor O'Connor. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S404: (R-92-1474) ADOPTED AS RESOLUTION R-279671

Approving Change Order No. 3, dated January 24, 1992, issued in connection with the contract with Petar Artukovich Construction Company for Water and Sewer Main Replacement - Group 69, amounting to a net decrease in the contract price of \$174,107.01; authorizing the City Auditor and Comptroller to transfer the amount of \$171,607.01 from Sewer Fund 41506, CIP-44-208.5 to Sewer Fund 41506, General Allocation for Sewer Main Replacement, CIP-44-001; and

to transfer the amount of \$2,500 from Water Fund 41502, CIP-73-832.1 (Sewer and Water Group 67) to Water Fund 41502, Annual Allocation for Water Main Replacement, CIP-73-083 for said project.
(Uptown Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: On December 18, 1989, the City entered into a contract with Petar Artukovich for the construction of Sewer and Water Main Replacement Group 69. Petar Artukovich abandoned the project. The City debarred Petar Artukovich from bidding on City projects for 3 years (Resolution R-278713). On September 4, 1991, the City entered into a contract with Frank and Son Paving, Inc. to finish the work Petar Artukovich had abandoned for a contract amount of \$86,332. The work by Frank and Son is still ongoing so the final contract amount is not known at this time. Change Order No. 3 decreases the amount of the Petar Artukovich contract by \$171,607.01. This is a final change order to close out the contract.

WU-U-92-05.

FILE LOCATION: CONT-Peter Artukovich Construction Company
CONT FY92-1

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S405: (R-92-1467) ADOPTED AS RESOLUTION R-279672

Authorizing the execution of an agreement with the Center for Social Services to purchase materials that will be used in the renovation of a facility located at 3916 Normal Street; authorizing the expenditure of an amount not to exceed \$100,000 from Fund 18527, Department No. 4012, Organization No. 1203 for the purpose of providing funds for the above project.
(Uptown Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: The City Council allocated \$600,000 from 1990 CDBG funds to the Center for Social Services for the purchase of a permanent facility. The facility was acquired and is located at 3916 Normal Street. On May 28, 1991, the City Council authorized an additional \$100,000 from

1991 CDBG funds for the purpose of purchasing materials to be used by volunteers to do the required renovation work. The actual construction work will be accomplished by members of the Old Mission Beach Athletic Club (OMBAC), a San Diego social club, as their annual charity project. The City of San Diego applied to the Department of Housing and Urban Development (HUD) and received a waiver of the Davis Bacon Act, and is employing volunteers for the renovation of the Center for Social Services facility. This permanent facility will be used to treat persons with AIDS, HIV, and AIDS Related Complex (ARC), and will provide counseling and services to the gay and lesbian community. The estimate for the facility renovation was \$501,000. The voluntary workers, contracts, and the \$100,000 from the CDBG program present an opportunity to accomplish \$501,000 worth of work for approximately \$237,000.

Aud. Cert. 9200744.

FILE LOCATION: MEET CONT FY92-1

COUNCIL ACTION: (Tape location: A587-632.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stevens.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S406: (R-92-1443) ADOPTED AS RESOLUTION R-279673

Proclaiming April 5 through 12, 1992 to be "Forest Appreciation Week"; urging all citizens to join in strengthening our commitment to forest protection, biological diversity and indigenous rights around the world by participating in Forest Appreciation Week events.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A404-455.)

MOTION BY COMMON CONSENT TO ADOPT. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S407: (R-92-1456) ADOPTED AS RESOLUTION R-279674

Authorizing the execution of a first amendment to the agreement with San Diego Incubator Corporation required for the increase of the maximum compensation not to exceed \$143,240; authorizing the expenditure of an amount not to exceed \$43,240 from Community Development Block Grant (CDBG) Fund 18526, Department 5895, Organization 9504, Job Order 000001, for this purpose.

(See SEDC Memorandum dated March 23, 1992.
District-4.)

Aud. Cert. 9200745.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H264-284.)

MOTION BY STALLINGS TO ADOPT ITEMS S400, S403, AND S407.
Second by Mayor O'Connor. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea,
Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 7:15 p.m. in honor of the memory of Gabriel George Abdelnour.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: H354).